

**REMARKS/ARGUMENTS**

Claims 1-21 are pending. By this Amendment, claims 1, 5, 11, and 14 are amended, and claims 19-21 are added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 1, 5, 11, and 14 under 35 U.S.C. §112, second paragraph. The Examiner's comments have been addressed in amending these claims. Accordingly, the rejection should be withdrawn.

The Office Action rejected claims 1, 5, 9, 10, 11, 13, 14, and 16-18 under 35 U.S.C. §103(a) over Sims III, U.S. Patent No. 6,550,011 (hereinafter "Sims") in view of Ho, U.S. Patent No. 6,148,342 (hereinafter "Ho") and Van Oorshot et al. (hereinafter "Van Oorshot"), U.S. Patent No. 6,229,894. The rejection is respectfully traversed.

The Office Action asserts that Sims III teaches all of the claimed features of independent claims 1, 5, 11, and 14 except that Sims III fails to teach sending private key identification by encrypting an ID. The Examiner then asserts that Ho teaches "encrypting an identifier using a public key of the recipient (media certificate), (col. 3 lines 54-56)," and "finding the corresponding private key to decrypt the identifier, (col. 3 lines 57-59)." The Examiner then concludes that "[i]t would have been obvious to one of ordinary skill in the art to use the identifier of Ho with the DRM of Sims III because it allows the recipient to find the private key

needed to decrypt future submissions from the sender.” The Examiner further asserts that “Van Oorshot teaches updating the public key certificate using a new public and private key (col. 6, line 64 –col. 7, line 4), and concludes that “[i]t would have been obvious to one of ordinary skill in the art to update the certificate on a periodic basis in order to prevent key compromise.”

However, it appears that the Examiner has interpreted the history of private keys in Van Oorshot as corresponding to the claimed time mark. It is respectfully submitted that the history of private keys in Van Oorshot is not provided for updating a private decryption key, but rather, is provided for retrieving old private keys and non-decryption keys. See col. 5, lines 6-27 of Van Oorshot. In other words, the history of private keys is not used when a private key is being updated. In contrast, the claimed time mark is used to update an old private key within a playing device with a new one. Updating the certificate on a periodic basis, as asserted by the Examiner, would not directly lead to using of a time mark in a key renewing (updating) process. Therefore, the claimed time mark in the key renewing (updating) process is not obvious from the applied references.

Further, the claimed key renewing certificate is used in the key renewing (updating) process during which a key within a playing device is replaced with a new one. The private key itself within the playing device is changed during the key renewing (updating) process using the key renewing certificate. However, the certificates in the applied references are used for transmitting a public key or verifying a sending party. See, for example, col. 4, lines 24-44 in

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Van Oorshot. The certificates are not used during a key renewing process within a playing device. Although the end user certificate is updated by a certificate revocation list, the private key within the end user is not necessarily replaced with a new one at that time. Therefore, it is respectfully submitted that the applied references do not disclose or suggest the claimed key renewing (updating) process in the playing device. Furthermore, it is respectfully submitted that the applied references do not disclose or suggest that a “master key” is used in processing a key renewing certificate.

Accordingly, the rejection of independent claims 1, 5, 11, and 14 over Sims III, Ho, and Van Oorshot should be withdrawn. Dependent claims 9-10, 13, and 16-18 are allowable over Sims III, Ho, and Van Oorshot at least for the reasons discussed above with respect to independent claims 5, 11, and 14, from which the respectively depend, as well as for their added features.

The Office Action rejected claims 2-4, 6-8, 12, and 15 under 35 U.S.C. §103(a) over Sims III in view of Ho (and it is assumed Van Oorshot) and further in view of Zubeldia, U.S. Patent No. 6,044,462. The rejection is respectfully traversed.

Dependent claims 2-4, 6-8, 12, and 15 are allowable over Sims III, Ho, and Van Oorshot at least for the reasons discussed above with respect to independent claims 1, 5, 11, and 14, from which they respectively depend, as well as for their added features. Zubeldia fails to overcome

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the deficiencies of Sims III, Ho, and Van Oorshot, as it is merely cited for allegedly teaching a key list with revoked keys. Accordingly, the rejection should be withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

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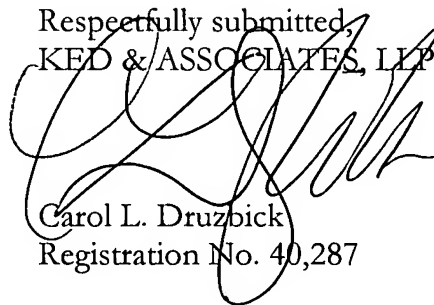
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



Carol L. Druzbeck  
Registration No. 40,287

P.O. Box 221200

Chantilly, Virginia 20153-1200

(703) 766-3777 CLD:tlg

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**Please direct all correspondence to Customer Number 34610**